

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-227

December 29, 2000

CENTRAL MAINE POWER COMPANY
Request for Approval of Amended and
Restated Special Rate Contract with
Fairchild Semiconductor

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, we grant final approval of an Amended and Restated Customer Service Agreement (CSA), as revised, between Central Maine Power Company (CMP) and Fairchild Semiconductor (Fairchild).

DISCUSSION AND DECISION

On March 7, 2000, CMP filed with this Commission a proposed Amended and Restated CSA with Fairchild. The CSA provides for electricity delivery-only service, replacing the terms of the previous CSA for bundled service. On March 8, 2000, this CSA was granted temporary approval by the Acting Director of Technical Analysis.¹ On April 24, 2000, CMP filed a revised Page 6 to the Agreement and on May 1, 2000, this revision was granted temporary approval by the Acting Director of Technical Analysis. The Orders granting temporary approval made no finding as to the reasonableness of the Agreement or the Revised Agreement and indicated that such a determination would be made after a more thorough review of their terms.

We have since conducted such a review of the contract terms, as well as information submitted by CMP on July 28, 2000 regarding the due diligence of Fairchild's efforts to obtain generation supply. Based on our review, we have determined that this CSA, as revised, is reasonable and complies with 35-A M.R.S.A. § 3204(10). Therefore, we grant final approval of this CSA, as revised, pursuant to 35-A M.R.S.A. § 703(3-A).

¹ In Docket No. 2000-164, the Commission delegated its authority under 35-A, M.R.S.A. § 107(4) to the Director (or Acting Director) of the Division of Technical Analysis to grant temporary approval of contracts modified to allow for transmission and distribution-only service.

Dated at Augusta, Maine, this 29th day of December, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR:

Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.